IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO.805 OF 2004
IN
CHAMBER SUMMONS NO.1800 OF 2004
IN
SUIT NO.1205 OF 2004

Girish C. Lodha alias Girish Mehta .. Appellant

v/s.

Ajit V. Pangam & anr. .. Respondents

Mr.H.S.S.Murthy i/by Mr.Vinod Tayde for appellant.

Mr.P.K.Samdani i/by M/s.Dandekar & Co. for respondent No.1.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 22nd December, 2004

P.C.

Heard Mr.H.S.S.Murthy, the learned counsel for the appellant and perused the impugned order.

2. The learned chamber Judge has protected the rights of the appellant by observing that the appellant may file his own suit and prosecute his own rights independently. It is, thus, open to the appellant to file fresh suit and prosecute his rights. Obviously, such suit shall be considered on its own merit uninfluenced by withdrawal of the suit by the present respondent No.1.

3. With the aforesaid observation, appeal is dismissed.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)